newsletter on **Intellectual Freedom**

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Ed. note: The past quarter has witnessed the appearance of a preliminary report of the Fiske study on book selection and retention policies in California libraries. Not yet available in printed form, but soon to be published, the study is one of the few "studies in depth" of the censorship situation, and is therefore to be welcomed, despite its startling (and indeed disturbing) aspects. We have asked Mr. Merritt to report on the Symposium at which it was presented, and we have taken the liberty of quoting at length from a press account of the report, because we feel it is a matter of gravest consequence, giving us all cause to pause and wonder.

"THE CLIMATE OF BOOK SELECTION": A special report on the California Symposium by LeRoy C. Merritt, School of Librarianship, University of California

The UC School of Librarianship has, during the past two years, sponsored a study of the pressures on the selection and retention of books in public and school libraries under the direction of Miss Marjorie Fiske. Her report, to be published by the UC Press, was the basis for the three-day symposium, July 10-12 at Berkeley. Symposium highlight was a preliminary report by Miss Fiske, accompanied by an analysis by Talcott Parsons and papers by other distinguished speakers presenting the whole social and professional milieu wherein the book selection process takes place. UC Press will also publish all the papers of the Symposium.

Opening paper was a brilliant recital by Max Lerner, Professor of American Civilization at Brandeis, of the current foibles of American society. "Boy with a book," said Lerner, is the only possible way of continuing peace in our time. To this vision of a boy reading, Lerner saw obstacles of censorship, finance, cloacal literature, and the low quality and one-way-street limitations of big media. What to do about cloacal literature? "Nothing," in Mr. Lerner's words, "let it die by ignoring it."

John Albig, Professor of Sociology at Illinois, in "The Library's Competition," after presenting a statistical review of the quantitative aspects of mass media, pictured the library and the book as bastion and bulwark supporting a new revolt against the invasion of privacy in the current tendency toward conformity.

Papers on "The Public Librarian's Boss" and "The School Librarian's Boss" voiced a strong plea for librarians to accept responsibility for involvement in politics while at the same time maintaining their intellectual, moral, and professional standards.

"The Atmosphere of Censorship" by Harold D. Laswell, Professor of Law and Political Science at Yale, was a succinct, eminently intelligible review of the McCarthy era. Stressed by Laswell: the need for marshalling the forces interested in preserving civil liberties against the next attack when it comes; the need for educating business leaders so they, in turn, will back the professional leaders in their communities; the need for a strategy, well outlined in advance, to provide prompt action whenever a threat of censorship arises.

The next paper, by UC School of Librarianship's Professor Frederick D. Mosher, moved closer to the California censorship scene - "Setting the Stage in California." Described by Mosher were the incidents and events over the years which led to the Fiske study and made it seem important to press for it through a host of administrative difficulties. Mosher presented in brilliant detail the various kinds of obstacles, the setbacks, the discouragements, and the final feeling of glory involved in cutting through the web of fear that surrounded any contact with the Fund for the Republic in 1955-56.

Miss Fiske's preliminary report of her study on "Book Selection and Retention in California Public and School Libraries" described something of the procedures in setting up and conducting the study and set forth some of its more interesting and important results. [For a more detailed report of her findings, see separate account below.]

Talcott Parsons, Professor of Sociology at Harvard, concluded the Symposium with an analysis of the implications of the Fiske study. Revealed in the study, said Parsons, was a tendency to compulsive conformity on the part of the public librarian, and a tendency to withdraw even from the need to conform on the school librarian's part. Also noted by Parsons: the incidents of restriction were less frequent in the small and large public libraries than in the libraries in middle-sized communities; restrictions were strongest in those libraries of communities which were most rapidly changing in size or in social structure. Parsons concluded with the observation that the librarian who follows the demand theory - either pro or con or both - has abdicated his professional responsibility to provide materials the public needs and should have.

Coverage of the whole Symposium in the local press was excellent, particularly in the San Francisco Chronicle, which gave front page space in its Sunday edition to a detailed report of Miss Fiske's findings under the headline "Censoring Blamed on Timid Libraries."

ARE LIBRARIANS TIMID? FISKE STUDY SAYS "YES"

Highlights from Miss Fiske's study, "Book Selection and Retention in California Public and School Libraries," based on a survey of 90 libraries and 204 librarians in some 26 communities, including the state's largest cities, as reported in the San Francisco Chronicle (July 13):

"Nearly two-thirds reported instances where they (the librarians) had decided not to buy a book because it or its author was - or might be - considered controversial by someone, somewhere."

"Nearly one-third reported that certain controversial materials had been permanently removed from their collections."

"Nearly one-fifth habitually avoid all such material (controversial)."

Other Fiske findings, as reported in the Chronicle:

Who censored? Of all the books questioned as controversial, more than two-thirds were initially questioned by librarians (or teachers or administrators, in school libraries).

Were organized outside pressures numerous? The study showed only 8 examples of sustained, organized pressures for censorship and only 1 since 1954.

What methods did librarians use in censorship? They decided not to purchase books; they put "controversial" books in the librarian's office; they placed them behind or under the front desk; they locked them away; they limited the number of copies.

What kind of books were "controversial"? Only about one-fifth were political in character. Leading cause for restriction: "morals" or "profanity."

A single instance: One city librarian endorsed the ALA "Bill of Rights" as reflecting her own views against censorship. However, continued that same librarian, if any person complains about a book in her library, that book "is just put aside for the time being in a locked room." She explained, "You do not jeopardize a whole library for just one book." In the locked room at that time, Miss Fiske noted 2000 books.

THE STANDARDS FOR JUDGING A BOOK: A CANADIAN VIEW

"On April 11, the Tariff Board of Canada handed down a majority ruling which permitted the entry into Canada of Peyton Place, a novel by Grace Metalious, earlier denied entry." Thus opens the section "Sense and Censorship" in the July 1958 Canadian Library Association Bulletin, wherein are reprinted the compact, closely reasoned and well phrased observations of two eminent Canadian professors on behalf of Peyton Place. Space prevents reprinting them in full, as they deserve; the excerpts which follow may reflect in some degree their breadth and their wisdom.

Of the three kinds of questionable literature (Professor Beattie): "There is, in the first place, the book of unrelieved smut...making sex always dirty or grotesque...

created for the sole purpose of creating crude responses... conveniently classed, along with filthy postcards and stag-party films, as pornography. Pornography, I venture to say, is recognizable as such at once - by sight or smell.

"Another class... includes those which the book trade labels erotica and which are sometimes listed in booksellers' catalogues as curiosa... usually handsomely bound and printed, and profusely illustrated by artists whose researches into the anatomy of copulation must have been astonishing... intended, I should suppose, for gentlemen somewhat past their prime of life, whose appetites have grown jaded or slightly perverse.

"A third kind of book... is the sort... we see in such quantities on the book racks in newspaper and tobacco shops... [with] covers, on which are graphically depicted young women distinguished by scantiness of clothing and expansiveness of chest... [and which] often... assume the guise of historical novels... [whose] heroes spend considerably more time in the boudoir than on the battlefield."

Of "Peyton Place" (Professor Beattie): "I do not believe that any careful reader would confuse Peyton Place with pornography, erotica, or pseudo-historical suggestiveness... It is a novel of serious intent and of quite legitimate ancestry. That is the tradition of naturalism... In America, naturalism has taken a particular direction: the thorough study of small-town life, with a view to showing what lies behind a facade of virtue and respectability.

"It is an error... to describe as obscene a book which is merely realistic... It is a fictional exposé... To achieve full impact as an exposé, the novel must concern itself with the kind of activity which our modern society considers it most necessary to conceal... [The author's] handling of the theme is direct, honest, and, in so far as lies within her power, artistic.

"Nor can the book be described as immoral. Peyton Place is possibly a bad novel, by strictly literary standards; morally bad it most assuredly is not... No misdemeanor... is presented as the source of happiness or peace of mind... No one is spared retribution... It is a strange misuse of language to apply the epithet 'immoral' to a book which makes so obvious the connection between sin and suffering.

"In conclusion, I should like to reaffirm my conviction that Peyton Place does not deserve to be classified among 'prohibited goods' as a book 'of an immoral or indecent character.' It presents no threat to the moral stability of the country."

Of morality in literature (Professor Underhill): "In judging whether a book is to be considered immoral and indecent... we must take account of the changing mental climate of our age. We cannot judge writings of the 1950's according to the Victorian standards of the 1850's. There are three features of the life of our generation which have affected the kind of writing... done now in novels and other literary production.

"The first is the great frankness about sex and the part it plays in our lives... The second feature of our age which has affected its literature is its violence... [The] third feature... shows itself in philosophical and historical writing as well as in

novels. It is the fascination felt by men of our generation, and especially by its thinkers and writers, in the contemplation of societies in decay, degeneration, dissolution.

"Modern literary artists, in their concentration on sex, violence, and societies in decay, are not just exploiting these themes for the sake of vulgar notoriety and best-seller profits. They are trying, seriously and intensely, to say something significant about the condition of man in our day."

Of "Peyton Place" (Professor Underhill): "I do not find the passages to which objection is usually taken to be simply dirt for dirt's sake. I do not find the 'leer of the sensualist' in it. She is trying to show vividly what life in twentieth-century small-town New England is really like, and how far her community has sunk, intellectually, morally, and spiritually - from the standards of the old puritan seventeenth-century New England."

THE LIBRARIAN AS SELECTOR: AN AUSTRALIAN VIEW

Miss Madelaine Dunkerley, Chief Librarian of Burwood, New South Wales, in answering a borrower's objection on moral grounds to a book in the library, provides a clear, forthright, and dignified statement on the role of librarian as selector, in her report to her Council, who subsequently commended her "complete and able handling of the subject." Excerpts from the report as it appeared in The Australian Library Journal, April 1958:

> The book was selected, as is almost all fiction in the Library, other than the works of standard authors, on the basis of at least one review appearing in a reputable periodical.

Of the librarian's own tastes:

> Beyond that [after citing a reputable review] I do not feel called upon to go in defending the moral outlook given expression in the work in question. Nor, although I have read it, do I think it is relevant for me to give my personal opinion of that aspect of the book. Even if I had been as shocked by it as the person who made the complaint, I should not regard it as my right or my function to impose my own personal standards on the adult members of our community.

Of the individual reader's tastes:

> It must be obvious that there is always a likelihood that some readers will be offended by some books, for moral, religious, or political reasons... If in a single instance Council were to defer to the opinion of one individual in such a case, it is hard to see where one could make an end. Every reader who found something to object to in a book might reasonably expect that his opinion would be equally respected; and we should be continually withdrawing books for one or another reason.

ALONG THE LOCAL FRONT

Current local action involving censorship of magazines and paperbound books on the

newsstands continues much along the same pattern as that of the last two years. An occasional lone voice cries out against the tactics used by the censors, exhorts the individual to cherish the right to think and choose for himself, and points to the dangers inherent in even the smallest act of censorship. But the cry becomes a lost whisper in the loud clamor for protecting "the immature minds of our youth" and "the perverted mind of our neighbor" as self-appointed citizen groups, church-affiliated organizations, PTA's, quasi-official reviewing boards, police, county sheriffs and district attorneys go on issuing blacklists, imposing economic pressures, and threatening legal action if dealers fail to cooperate. "Voluntary cooperation" remains the favorite method of control -- even in communities with brand new ordinances designed to put an end to all objectionable literature. As one local official put it, "The city would rather work out an arrangement with distributors than to get involved in the tricky legal issue of what is lewd and obscene."

In the welter of local censorship campaigns, a few movements stand out as deserving special notice.

Citizens for Decent Literature, Inc.: On July 28, an Ohio state group called Citizens for Decent Literature, Inc. was formed when 50 representatives from 12 communities met at Ashland, Ohio. The state organization is patterned after the 2-year-old Cincinnati decent literature group, which lists on its letterhead as members an impressive array of names, including the President of the Boy Scouts of America, the Governor, a U.S. Senator, university presidents and professors, an archbishop, the mayor, the chief of police, the postmaster, and the like.

Among the featured speakers at the Ashland meeting were Louis Arata of Cincinnati and attorney Charles H. Keating, chairman of the Cincinnati group and now state chairman. Arata stated that "we're here because the moral foundation of the U.S. is collapsing like a house of cards" (mainly because of the flood of obscene literature): Keating declared that to obtain their objectives, groups of the CDL type must invade the "jungle," the source of much of the objectionable material, where crime syndicates and international organizations flourish. Both speakers stressed the CDL philosophy as: (1) informing the public of the massive "billion-dollar business in obscene literature... 75% of [which] is directed into the hands of juveniles, college age and under"; (2) absolutely ruling out censorship and boycotts as CDL procedures (although at a later question and answer session Keating, when asked how the committee had operated in Cincinnati, reportedly replied that they acted like 12 dictators); and (3) working always under the law (although a member of the Cincinnati group had earlier said that Supreme Court decisions which have often invalidated local laws did not ordinarily hamper local action, since the cost of appeal was often more than the fine imposed).

CDL, advertising itself as "a voluntary, non-profit, non-fund-raising organization," hopes to become national in October, when a proposed conference will include representatives from Canada and Hawaii as well as the U.S. (Above account based on copy of Ashland Public Librarian Homer L. Fletcher's report to the Ohio State Library, Ashland Times Gazette of June 30, and some 40 pages of material distributed gratis by CDL)

Mothers' March on Obscenity: Another Cincinnati group, calling itself Mothers' March on Obscenity, has a plan for ringing every doorbell in Greater

Cincinnati the third Sunday of October. Insisting the group does not approve of censorship nor does it intend to act as vigilantes outside the law, a spokesman said: "We are fortunate in having excellent police, fine courts, and conscientious public officials in Cincinnati. Our aim is not to act as either judge or jury. Our job is to alert mothers... We want every mother to know what her child reads, to be sure it is good and not bad. If mothers refuse to give their children money for obscene and subversive comics, half our battle is won." (Cincinnati Post, Aug. 6)

PTA acts in Baltimore: An intensified campaign has been begun by the 140 Baltimore PTA's to alert parents to the "indecent magazines and books" situation. Because a great majority of parents "are unaware, complacent, or just don't care" what their children read, PTA groups have agreed that the best means of solving the problem is to reach parents. The Baltimore action is part of a program being undertaken by the Maryland Congress of Parents and Teachers with plans for each local unit to inform parents of the situation in its respective city. (Baltimore Sunday American, Aug. 24)

ALONG THE STATE FRONT

Massachusetts legislature votes new control board: A measure establishing a 7-member Obscene Literature Control Commission to assist the attorney general in preventing the sale of prohibited publications, along with a companion bill calling for two State Police inspectors of books and magazines (June Newsletter), was slated to reach Governor Furcolo's desk in late August after passing both House and Senate. Opposing lawmakers, whose sentiments were echoed by many Massachusetts newspapers, assailed the bill as "dangerous and foolish" and "like trying to cure Dutch elm disease by picking the leaves off the trees" (Haverhill Gazette, Aug. 15).

American Book Publishers Council, describing the already existing Massachusetts obscenity law as one of the clearest and most effective statutes in the entire country and the proposed law as unnecessary and unconstitutional, asked the governor's veto. The Council opposed the bill on three counts: (1) the bill presupposes that the attorney general is not competent to execute his office under the law without the intervention of the proposed control commission; (2) the language of the bill (which provides for the commission to take appropriate action against a publication "on sale or about to be placed on sale") would require the attorney general to engage in prior censorship; (3) the proposed law establishes a religious test for public office by specifying that three commission members be representatives of the Protestant, Catholic, and Jewish faiths. (Worcester Gazette, Aug. 20)

Since Governor Furcolo had not expressed his attitude toward either the commission bill or the State Police measure, it was not known what action he might take.

California Legislature's right to ban textbooks denied: Last March the Legislature attached a rider to the State Board of Education appropriation forbidding any funds to be spent for Science for Work and Play and Science for Here and Now (Heath publications) on the grounds that the books were so simple as "to insult the intelligence of a 6-year-old." A recent ruling from the attorney general's office in declaring the action unconstitutional held that the Legislature may not take back any of the power to choose texts that it had given to the Board. (San Francisco News, Aug. 5)

Section of Virginia obscenity statute ruled invalid: The Virginia Supreme Court has declared unconstitutional that section of a state obscenity law which "undertakes to provide a standard of judging obscenity dependent upon the undesirable effect the offensive material may have upon youth." In reversing a lower court conviction of a Norfolk newsstand operator for selling material that tended to corrupt the morals of youth, the state court held that it was bound by the 1957 U.S. Supreme Court ruling in the Butler v. Michigan case (March 1957 Newsletter). Although there was some general concern over future prevention of traffic in pornography, the Richmond Times-Dispatch (June 18) cited a lawyer's opinion that the validity of the laws that prohibit sales or distribution to children of things that tend to corrupt children and the laws that prohibit the sale and distribution of obscene matter had not been affected, that the Virginia court had ruled only that the possible undesirable effect on children may not be used as a standard for deciding whether questionable material shall be offered to the public at large -- in other words, the adult population may not be reduced "to reading only what is fit for children."

Vermont's obscene literature law to be tested:

The validity of Vermont's 1957 revised obscene literature law may be decided by the state Supreme Court during its November term. On July 29, a Windsor County court judge ended a 2-day trial of a West Lebanon, N.H., news distributor, which supplies some 60 Vermont newsdealers with magazines, by passing the case to the high court. The distributor is charged under the Vermont statute which bans distribution of material that "tends to the corruption of the morals of youth." (Montpelier Argus, July 30)

THE NATIONAL SCENE: TWO ANTI-OBSCENITY MEASURES BECOME LAW

In the session just ended, the U.S. Congress (both Houses) was confronted with a spate of proposals (June Newsletter) dealing with (1) prosecution for mailing obscene matter at point of delivery, (2) stiffer penalties for second offenders, and (3) greater latitude in kinds of obscene matter the P.O. can seize.

Public pressure was drummed up by proponents of the bills by scattering form letters broadcast throughout the land which were to be sent, as though originating locally, over individual signature of some local person, for publication in a "letters to the editor" column. Indicative of this well-organized nation-wide campaign: identical letters appeared, over different individual signatures and addresses, in Seattle (Post-Intelligencer, July 8), Orlando, Fla. (Sentinel, July 17), Indianapolis (Star, July 18), Scranton, Pa. (Times, July 19), San Diego (Tribune, Aug. 9).

Publishers and booksellers were concerted and articulate in their opposition. HR 6239 is "a drastic censor bill...the greatest danger to the freedom of the press that the book world has ever faced in the U.S.," wrote Sol Malkin (Antiquarian Bookman, June 2-9, Aug. 11). ABPC's attorney Manges testified against this and other bills (June Newsletter). But publisher-bookseller opposition was small in contrast to the organized public campaign, representing what appeared to Congressmen in both Houses to be an "aroused" public.

Passed by House and Senate: two bills to "crack down" on obscene literature,

destined later (August 28) by Presidential signature to become the law of the land (New York Times, Aug. 28).

Most debated provision of new federal laws: prosecution at any point in the U.S. where obscene matter is delivered, as well as at point of mailing (already provided for). Threat posed by new laws: reduction of U.S. reading to the standard of "acceptability" to a community deliberately selected because its mores and outlook are narrow and rigid. Possible ultimate (but uncertain) outcome: a ruling by the Supreme Court on a case to test new law's validity which would (hope publishers and booksellers) strike it down as unconstitutional. (AB, Aug. 11)

Surprisingly absent from all press notices and published hearings: librarians, who by their silence either deliberately chose to lend support to the measures before Congress or failed to grasp or acknowledge the threat to freedom to read which booksellers and publishers saw in them.

AND ALSO

Library school conferences stress parental role in children's reading: The role of the parent in fostering good reading by children was the subject of workshops offered at Rutgers ("For Parents Only") and at U. of Washington ("Parents, Children and Books") in Spring and early Summer 1958 by their respective library schools, and summarized in the National Book Committee Quarterly, Summer 1958.

Washington art collection raided, ransacked, reviewed, returned: Effects of the Palmieri decision on the Kinsey materials, defining obscenity in relation to "who sees it" (March Newsletter), were evident in U.S. Attorney Oliver Gasch's dismissal of charges against Washington, D.C., art collector Lawrence Gichner (Washington Star, Sept. 18). Gichner's extensive private collection of erotica, basis for several research studies by its owner, had been raided at his home and summarily confiscated - 50 cartons of it - by Morals Division officers (Washington News, Sept. 4). Gichner agreed to vest controls of the collection in new 3-man trust, the Gichner Foundation for Cultural Studies. Collection's eventual destination: the Kinsey-founded Institute for Sex Research, Inc., of Indiana U.

University librarian protests film confiscation: A posse of Galena Park (Texas) police, led by a justice of the peace, raided a movie house, confiscated the film (Street Corner), and charged the manager with displaying a "lewd and indecent" film. Objectionable part: birth of a child. (Houston Post, Aug. 17)

In a letter of protest to the Post, Howard McGaw, Director of Libraries at Houston U., wrote: "I am very much concerned about police censorship. I assume the film was approved by certain boards before it reached the hands of theatre-manager Dodson. Why, then, should a justice of the peace and his police friends take it upon themselves to decide that the adults in Galena Park shouldn't be allowed to see the movie simply because a certain sequence -- the birth of a child is of course 'lewd and obscene' -- might be inappropriate for a minor?"

Postal "big-brotherism" charged: A request by a Chicago U. biochemistry professor for back issues of the Illustrated London News, addressed to Amber Vorlag of Boras, Sweden, was returned to sender with notation "Unlawful mail to this address

returned by order of the postmaster general." ACLU in Illinois has asked Senator Douglas to investigate what it calls "another example of big brotherism in government." (Champaign News-Gazette, July 1)

Audit shows oddities in Decency Committee spending: An audit by New Mexico's State Auditor Ben Chavez of the spending by the now-defunct 1956 Governor's Committee on Decency will probe into such items as: $50-a-day payments to a press agent, $850 to a private detective for "pornographic evidence," stool pigeon's expenses, $550 to a lawyer for drafting a bill (later rewritten by the legislative council). Commented columnist Will Harrison, writing from Santa Fe (Amarillo News, Aug. 6): "Weird spending of public dough like nobody around here ever saw."

SILVER LINING

Successful venture in good reading: Although newly organized decent literature groups often proclaim their goal as being a two-fold one of (1) promoting good reading habits, and (2) screening objectionable publications, the expediency with which the latter can be accomplished usually receives more enthusiastic support from the would-be reformers. A welcome exception was noted in a Bethlehem, Pa., Globe-Times (May 15) editorial, which commended the year-old Northhampton County Committee for Decency in Literature for having resisted pressures "to swing it along a path that smacked of censorship" but instead had "pursued the battle along a positive course." Stating that more than 900 county junior and senior high school students had participated in the committee's first major project, an essay contest on the subject, "The Type of Reading I Like Best," the Globe-Times continued: "That such a cross section of young people gave some serious thought to the topic cannot help but be successful in creating an awareness which will help form good reading habits."

WHAT NEXT?

Overstatement nonpareil: "Modern fiction is largely pornographic in content and public libraries make many of these books available to all comers." (Council Bluffs, Ia., Nonpareil, July 16)